

Catalina Foothills Estates No. 9 Association

MINUTES

Meeting of the Board of Directors

Cat9.org

Meeting Date: **January 10, 2022**

Directors Present: Joyce Su, Larry Ivy, Nancy Kay, Sherri Durand, Anne Segal, Gary Delmonaco

Directors Absent: None

Guests Present: Diane Frank, Jim Ponzio, Jody Ponzio, Conni Struse

1. Call to Order & Quorum. Joyce ran the meeting this week and called the meeting to order at 7:03pm.
2. Approval of Minutes dated December 13, 2021. Nancy moved to approve the minutes, Larry seconded the motion. Unanimously approved.
3. Reports & Actions

- a. Governance

CCR Amendment – The board confirmed, ratified and approved the revision in the draft CCR Amendment prepared by Carolyn Goldschmidt to paragraph 7.b(3) to increase the annual dues from \$100 to \$300. (see official recorded copy below) Anne moved that we accept the amendment with clarification on the date change to January 2022. Sherri seconded the motion. Unanimously approved.

- b. Roads & Landscaping

Roll-off Cleanup — Larry sent notice to homeowners to help clean up the landscaping from Skyline on Calle Los Altos to Circulo Solaz on the east side. Twelve people showed up January 8, and they filled one complete roll-off dumpster. Photos were sent to Teri for the newsletter.

(The Board gave Larry some love.)

Signage — Larry ordered a 12” x 18” sign saying “No Soliciting” and mounted it on the neighborhood watch sign near Skyline and Avenida de Posada. The cost was \$37, to be forwarded to the Treasurer.

Also, the lettering on existing signs indicating “Private Roads” is very small and difficult to read. He suggests replacing the two (2) old signs at the beginning of the private roads with “Private Roads, No Soliciting.”

Finally, The speed limit is 25, but cars seem to go faster and we have many walkers. Larry recommended four (4) new signs that say “be courteous” (or as later approved “Caution”) with an image of walkers and a bike. Larry will erect the new signs at strategic spots on Calle Los Altos. The cost for 6 signs is \$172. Gary moved to purchase 6 signs, Sherri seconded the motion. Unanimously approved.

a. Financial Reports/Budget

Proposed 2022 Budget – Joyce reviewed the proposed budget and changes for 2022. For 2022, the annual assessment will increase to \$300 per lot as approved by over a majority of the owners. The proposed budget also increased professional fees from \$300 to \$1500 given Carolyn’s hourly rate of \$300. The board also discussed minor increases for office supplies, printing and mailing. Regarding Joyce’s noted income for 129 lots instead of 130 lots, Joyce will check on whether there is a lot payment missing from 2021 annual dues. Larry volunteered to continue this year to organize the landscape trimming with neighbors, so he did not solicit a maintenance contract for landscaping (more love for Larry).

The board had comments about how Joyce was showing the transfer to road reserves and investments. Joyce’s budget draft also did not have income matching expenses. The board confirmed that income and expenses should balance on the 2022 budget. Joyce will revise the 2022 budget to be approved at the February board meeting.

Proposed Annual Assessment Letter - Joyce will draft the invoice letter using the same template as the previous letter and will

forward it to the Board prior to distributing to owners.

ARS 33-1806 Disclosure Fee Increase of 20%¹ - Sherri discussed that all new owner docs will have a separate landing page on the website so that realtors can quickly download them for the new owners. Samantha Williams has previously expressed at the October and November meetings that she wanted to help with the disclosure process; however, she did not attend either the December or January meetings. Sherri will send an email to confirm that she is no longer interested in volunteering. Sherri moved to increase the disclosure fee 20% to a new disclosure fee of \$208. Gary seconded the motion. Unanimously approved.

b. Compliance

Lot 1, Continued Trailer Visibility – In October, the board sent a reminder letter to the homeowners who responded that the trailer was temporary. The trailer is now still “Visible for Neighboring Properties.” The board will send a violation letter that if it is not moved by the end of January, the board may impose a fine. Larry commented that the trailer has been visible on the property for about eight months. The board agreed that to provide additional support, Jim Ponzo will contact the owner to help with a solution. (CCR Section 4.o)²

Dumpsters & Woodpiles – The board discussed that dumpsters require pre-approval of the board per CCR Section 4.o. In addition, the CCR’s require woodpiles be screened or moved out of sight of the road. A few logs on the front porch is OK. The board will include a reminder in the February newsletter about these CCR

¹ ARS 33-1806(C) “... If the aggregate fee for purposes of resale disclosure, lien estoppel and any other services related to the transfer or use of a property is less than four hundred dollars on January 1, 2010, the fee may increase at a rate of not more than twenty percent per year based on the immediately preceding fiscal year’s amount not to exceed the four hundred dollar aggregate fee. ...”

² Cat9 CCR 4.o “...No truck, mobile home, bus, travel trailer, tent trailer, trailer, ... may be parked, maintained, constructed, reconstructed or repaired on any Lot or Common Area so as to be Visible From Neighboring Property without the prior written approval of the Board, except for: (i) the temporary parking of any such vehicle or equipment on a Lot or on a street for a period of not more than four days within any thirty day period; (ii) temporary construction trailers or facilities maintained during and used exclusively in connection with, the construction of any Improvement approved by the Architectural Committee; ...”

requirements (CCR Section 4.h)³

4. Old Business

a. Elect Officers and Chairs – The board established and voted upon the slate of officers and chairs for a period of one year. The board confirmed that, according to the bylaws, officers are not required to be directors:

President - Sherri Durand
Vice President - Joyce Su
Treasurer - Gary Delmonaco
Secretary - Conni Struse

Architectural Chair - Anne Segal
Newsletter Editor - Teri Ellen
Calendar – Nancy Kay
Compliance Volunteer – Jim Ponzo

b. Elections Policy Update – The Election ad hoc committee formed in January comprised of Sherri, Larry and Jim created an Election Policy & Procedure. Board and any owner review is due by January 20. The board will include an article in the February newsletter about the new policy & procedure so that all owners understand the timeline and steps to self-nominate for elections.

c. Calendar Updates January & February – The board reviewed the board's calendar reminders for January and February (see below). Larry suggested that Nancy highlight the items that need attention during her report and that we have a way to check off completed items. Teri is still preparing the newsletter. For the Treasurer changeover, Joyce and Gary plan to communicate about the transition and audit plan.

5. New Business

Neighborhood Block Party – The board agreed to make this a

³ Cat9 CCR 4.h "...Wood piles, storage piles and construction materials shall be concealed at all times, so that none may be viewed from any point beyond the building site on which they are located."





spring event, and that hopefully the omicron virus slows down by then.






6. Owner Issues and Questions. None
7. Adjournment. The meeting was adjourned at 8:45 pm.
8. Next Board of Directors Meeting — **Monday, February 7, 2022 (first Monday instead of second Monday)**.

Attachments:

Calendar – January and February
Resale Report January
Recorded Amendment to CCR's

CAT9 BOARD OF DIRECTORS CALENDAR JANUARY-FEBRUARY 2022

MON 	WEE 	ROLE 	TASK / ACTION 	OF SORT BY MO 
JAN	1	Board	1-January Board meeting	1
JAN	1	Board	Agenda Item - Board vote on 2022 BUDGET and Annual Assessment (CCR Section 7(b)(3))	1
JAN	1	Board	Agenda Item - Board vote on Disclosure Fee amount / increase for resales ARS 33-1806	1
JAN	1	Elections	Agenda Item - Election Committee Feb 1 - Jan 31	1
JAN	1	Elections	Agenda Item - Review Owner inputs received	1
JAN	1	Newsletter	Brainstorm themes, featured owners and FAQs	1
JAN	4	Newsletter	Circulate draft FEB newsletter to board	1
JAN	1	President	Sign bank signature cards with officers at bank. Bring COPY of approved minutes naming officers.	1
JAN	4	President	Notify D&O insurance company of new director list; get updated COI (CCR Section 9)	1
JAN	1	Roads & Landscaping	Review bids and sign contracts for landscaping & road sweeping, as needed	1
JAN	2	Roads & Landscaping	Coordinate Roll-off location and provide reminders to owners	1
JAN	4	Roads & Landscaping	Sweep roads – January	1
JAN	1	Secretary	Distribute board book materials and updates + upload to Google Drive	1
JAN	1	Secretary	Upload December approved minutes to Google Drive and website	1
JAN	4	Secretary	Draft Agenda and send board package for February meeting	1
JAN	1	Treasurer	Provide Financial Report and Budget actuals to planned	1
JAN	2	Treasurer	Request new ATM / bank card as applicable	1
JAN	2	Treasurer	Agenda Item - Provide form of assessment letter for Board review and approval	1
JAN	4	Treasurer	Assessments - mail Assessment Letter to owners (CCR Section 7(b)(2))	1
JAN	4	Treasurer	Pay Post Office Box lease rent (expires February); check signature cards	1

MONT 	WEEK 	ROLE 	TASK / ACTION 	F SORT BY MO 
FEB	2	Architecture	Review intake forms and Architecture Guidelines for updates and refinements	2
FEB	3	Architecture	Publish annual reminder to owners on Intake steps, guidelines and contact info	2
FEB	1	Board	1-February Board meeting	2
FEB	1	Elections	Agenda Item - Review Draft of Election Policy and Procedure	2
FEB	1	Elections	Draft article for FEBRUARY about policy update	2
FEB	1	Newsletter	Publish FEBRUARY Newsletter	2
FEB	1	Secretary	Check PO box for corporate annual report form (past due by May 28 + late fee)	2
FEB	3	Secretary	Upload January approved minutes to Google Drive and website	2
FEB	4	Secretary	Draft Agenda and send board package for March meeting	2
FEB	1	Treasurer	Assessments - send reminder and invoices-- payment due by March 1	2
FEB	1	Treasurer	End of Fiscal year January 31 ; Beginning of Assessment period (Feb 1) (CCR Section 7.d)	2
FEB	2	Treasurer	Agenda Item - Finalize year end Financial Reports and plan for taxes	2
FEB	2	Treasurer	Appoint Audit team for audit of finances, if needed; required if new Treasurer	2

A.R.S. 33-1806 Resales

JANUARY 2022

ACTIVE LISTINGS

Status	Lot	Address	Owner	List price	Realtor	MLS
TOTAL	0					

PENDING, CONTINGENT & CLOSED SALES 2021

Closing Date	Lot	Address	Buyer	Seller	Sales price	Fee pd
3/17/2021	19	6820 N. Solaz Primero	Kenneth Scott Findlay & Winnie Pui Wah Ling	Denis & Jenny Polian	\$790,000	\$173
6/17/2021	70	2301 E. Calle Los Altos	Claude & Elizabeth Caroli	William & Margrit Laman	\$1,047,098	\$173
7/20/2021	66	6761 N. Placita Manzanita	Oleg and Tatyana Cohen	Mittilda Raksanaves & Daniel Percy	\$1,583,900	\$173
08/11/2021	109	6561 N. Avenida de Posada	Dan & Rayna Currier	Rachel Goldwyn & Alan Levenson	\$980,500	\$173
09/13/2021	78	6601 N. Altos Segundo	Yousef M Odeh and Alexandra J McGlamery	Andrew and Katherine Kraft	\$1,350,000	\$173
09/24/2021	52	6828 N. Solaz Cuarto	Donald Cole and Carolyn Murphy	Basil and Diana Callimanis	\$890,885	\$173
TOTAL 2021	6					



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GABRIELLA CÁZARES-KELLY, RECORDER
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When Recorded Mail/Deliver To:

Goldschmidt|Shupe, PLLC
6700 N. Oracle Rd., Suite 240
Tucson, AZ 85704

**CERTIFICATE OF FIRST AMENDMENT
TO THE AMENDED AND RESTATED
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR CATALINA FOOTHILLS ESTATES NO. 9**

[Lots 1 through 130 of Catalina Foothills Estates No. 9, a subdivision of Pima County, Arizona,
according to the map or plat thereof of record in the office of the County Recorder of Pima
County, Arizona, in Book 28 of Maps and Plats at page 43.]

(Amends Sequence 20062500879)

DO NOT REMOVE

THIS IS PART OF THE OFFICIAL DOCUMENT

CERTIFICATE OF FIRST AMENDMENT
TO THE AMENDED AND RESTATED
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR CATALINA FOOTHILLS ESTATES NO. 9

This is the First Amendment to the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Catalina Foothills Estates No. 9 (the "Declaration"), which was recorded on December 29, 2006, Sequence 20062500879, office of the Pima County Recorder. This First Amendment to the Declaration has been approved by a Majority of the Owners of Lots as required by Section 11(c) of the Declaration.

The Declaration is amended as follows:

Section 7(b)(3) is revised to read:

The maximum Annual Assessment for each fiscal year of the Association shall be ~~\$300~~. The maximum Annual Assessment may be increased only with the approval of a Majority of Owners of Lots.

Except as amended herein, the Declaration shall remain in full force and effect. To the extent of any inconsistency between the terms and provisions of this First Amendment and those of the Declaration, the terms and provisions of this First Amendment shall govern and control.

IN WITNESS WHEREOF, on this 19th day of January, 2022, the undersigned officers of Catalina Foothills Estates No. 9 Association, an Arizona non-profit corporation, hereby certify that the foregoing First Amendment was approved by a Majority of the Owners of Lots.

CATALINA FOOTHILLS ESTATES NO. 9 ASSOCIATION,
an Arizona non-profit corporation

By: Shawn Durand
Its: President

ATTEST:

By: Constance Struse
Its: Secretary

STATE OF ARIZONA)
)ss.
County of Pima)

The foregoing instrument was acknowledged before me this 19th day of January, 2022, by Sherri Durand as President of Catalina Foothills Estates No. 9 Association, an Arizona non-profit corporation.

Lori E. Burt
Notary Public



STATE OF ARIZONA)
)ss.
County of Pima)

The foregoing instrument was acknowledged before me this 19th day of January, 2022, by Constance Struse as Secretary of Catalina Foothills Estates No. 9 Association, an Arizona non-profit corporation.

Lori E. Burt
Notary Public

